

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

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NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 AID-20 CEQ-02

COA-02 COME-00 EB-11 EPA-04 IO-14 NSF-04 SCI-06 FEA-02

ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00

OMB-01 CIEP-03 CEA-02 OIC-04 TRSE-00 FAA-00 CAB-09

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TO SECSTATE WASHDC 5113

INFO USUN NEW YORK 732

UNCLAS SECTION 1 OF 2 CARACAS 7355

FROM US DEL LOS

EO 11652: NA

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT, JULY 31, 1974

1. SUMMARY. COMMITTEE II CONSIDERED WORKING PAPER ON STRAITS. IN AFTERNOON, COMMITTEE II DEBATED ITEM 6, ECONOMIC ZONE. MANY STATES SUPPORTED CONCEPT OF 200-MILE ECONOMIC ZONE. WIDE RANGE OF VIEWS WERE PRESENTED ON RIGHTS AND DUTIES OF STATES WITHIN ZONE. END SUMMARY

2. COMMITTEE II MET IN INFORMAL SESSION IN MORNING TO CONSIDER WORKING PAPER NO 2 (ON STRAITS) PREPARED BY CHAIRMAN AGUILAR IN CONSULTATION WITH COMMITTEE II BUREAU. SPAIN, SPEAKING ON BEHALF OF OTHER LIKE-MINDED STATES, SUGGESTED THAT INNOCENT PASSAGE REGIME BE REFLECTED IN STRAITS PAPER. CHINA SUPPORTED BY ALBANIA, UNCLASSIFIED

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CONTINUED TO PRESS FOR DIFFERENT REGIME BEING APPLIED TO MILITARY

VESSELS THAN TO COMMERCIAL VESSELS AND FOR NO DISTINCTION IN REGIME APPLICABLE TO STRAITS OVERLAPPED BY TERRITORIAL SEA AND REGULAR TERRITORIAL SEA AREAS. CHILE AND CANADA PRESSED FOR FORMULA IN DEFINITION PORTION OF TREATY THAT WOULD INDICATE FREQUENCY WITH WHICH STRAITS WERE USED FOR INTERNATIONAL NAVIGATION.

3. US REP JOHN NORTON MOORE SUGGESTED SEVERAL MINOR ALTERATIONS IN WORKING PAPER NO 2. WITH RESPECT TO DIFFERENTIATION BEING MADE BETWEEN COMMERCIAL AND MILITARY VESSELS IN STRAITS, HE STATED THAT QTE US COULD NOT CONCEIVE OF A SUCCESSFUL LAW OF THE SEA TREATY THAT DISCRIMINATED AGAINST MILITARY TRANSIT IN STRAITS USED FOR INTERNATIONAL NAVIGATION. UNQTE

4. UK REQUESTED THAT ITS DRAFT ARTICLES ON STRAITS BE REFLECTED IN WORKING PAPER NO 2. USSR MADE STRONG STATEMENT ENDORSING INCLUSION OF OVERFLIGHT IN THIS WORKING PAPER.

5. CHAIRMAN URGED CO-SPONSORS TO GET TOGETHER TO MERGE SIMILAR ALTERNATIVES AND ANNOUNCED THAT WORKING PAPER NO 3 ON CONTINENTAL SHELF WAS BEING PREPARED. WORKING PAPER NO 1, REVISION 2 (ON TERRITORIAL SEA) IS FINISHED AND IS BEING TRANSLATED. IN RESPONSE TO INQUIRY, CHAIRMAN STATED THAT DELEGATES COULD DISCUSS CONTIGUOUS ZONE IN CONJUNCTION WITH ITEMS 6 AND 7 (ECONOMIC ZONE AND PREFERENTIAL RIGHTS).

6. NEW ZELAND RESTATED ITS VIEW FAVORING COASTAL STATE RIGHTS OVER NATURAL PROLONGATION OF SHELF. THEY INDICATED FLEXIBILITY ON ACCESS TO FISHERIES IN 200-MILE ZONE WHICH THEY COULD NOT FULLY UTILIZE AND INTRODUCED DRAFT ARTICLES ON RESOURCE ENTITLEMENT OF ISLANDS. BAHRAIN DELIVERED STATEMENT REGARDING CONTINENTAL SHELF LIMITING ITS REMARKS TO PROBLEMS OF ISLANDS.

7. HONDURAS ENDORSED FUNCTIONAL APPROACH TO THE ECONOMIC ZONE STATING THAT THERE NEEDED TO BE CONTINUED FREEDOM OF NAVIGATION, OVERFLIGHT, AND LAYING OF PIPELINES. NIGERIA INTRODUCED WELL-STRUCTURED DRAFT ARTICLES ON UNCLASSIFIED

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THE EXCLUSIVE ECONOMIC ZONE. ARTICLES INCLUDED SECTIONS DEALING WITH A) RIGHTS AND COMPETENCES OF COASTAL STATE, B) RIGHTS AND COMPETENCES OF OTHER STATES, C) DUTIES OF COASTAL STATE, AND D) DUTIES OF OTHER STATES. IN INTRODUCING ITS ARTICLES, NIGERIAN DEL ACCEPTED PRINCIPLES OF CONSERVATION AND FULL UTILIZATION OF COASTAL FISH STOCKS. PORTUGAL ENDORSED ECONOMIC ZONE OF 200 MILES IN WHICH THE COASTAL STTE HAS EXCLUSIVE RIGHT TO EXPLOIT

LIVING AND NON-LIVING RESOURCES, FREEDOM OF NAVIGATION, OVERFLIGHT, AND LAYING PIPELINES RETAINED AND IN WHICH COASTAL STATE WOULD GRANT OTHER STATES RIGHT TO FISH SURPLUS STOCKS UNDER REASONABLE CONDITIONS AND UNDER REGULATIONS CONSIDERED BY INTERNATIONAL COMMISSION.

8. MEXICO MADE A BRIEF STATEMENT REFERRING TO ITS RECENTLY INTRODUCED COMPREHENSIVE ECONOMIC ZONE ARTICLES EXPLAINING THAT COASTAL STATE RIGHTS IN TERRITORIAL SEA, ECONOMIC ZONE AND CONTINENTAL SHELF DIFFER. GDR POINTED OUT IT HAD LITTLE TO GAIN IN WAY OF ECONOMIC ZONE BUT SUPPORTED CONCEPT OF FREEDOM OF SCIENTIFIC RESEARCH, NAVIGATION AND LAYING PIPELINES TO BE RETAINED IN THE ZONE. YUGOSLAVIA SUPPORTED AN ECONOMIC ZONE IN WHICH THE COASTAL STATE WOULD HAVE THE EXCLUSIVE RIGHT TO ALL LIVING AND NON-LIVING RESOURCES BUT IN WHICH BASIC FREEDOM OF THE HIGH SEAS WOULD BE RETAINED. SCIENTIFIC RESEARCH WOULD BE SUBJECT TO A CONSENT REGIME. UPPER VOLTA ACCEPTED 200-MILE ECONOMIC ZONE AND REVIEWED CONTINENTAL SHELF LIMITS BEYOND 200 MILES. MADAGASCAR FAVORS 200-MILE ZONE IN WHICH COASTAL STATE ENJOYS FULL SOVEREIGNTY.

9. PARAGUAY SUPPORTS ECONOMIC ZONE PROVIDED THAT INTERESTS OF GEOGRAPHICALLY DISADVANTAGED STATES IN REGION ARE ADEQUATELY PROVIDED FOR AND IN WHICH COASTAL STATES AND LAND-LOCKED ALIKE ENJOY THE RIGHT TO SCIENTIFIC RESEARCH. ZAIRE SUPPORTS ECONOMIC ZONE OF 200 MILES, APPROPRIATE REGIONAL ARRANGEMENTS FOR PARTICIPATION AND ACCESS FOR ALL TO THE SEA. CONGO SUPPORTS AN ECONOMIC ZONE OF 200 MILES WITH FREEDOM OF NAVIGATION, OVERFLIGHT AND LAYING OF PIPELINES. CYPRUS FAVORS MEDIAN-LINE APPROACH TO DELIMITATION IN ABSENCE OF AGREEMENT AND EMPHASIZED THAT ISLANDS SHOULD HAVE SAME ECONOMIC ZONE AS
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CONTINENTAL STATES. BARBADOS UNDERLINED ITS ADHERENCE TO PRINCIPLES OF DECLARATION OF SANTO DOMINGO, COASTAL STATE SOVEREIGNTY OVER LIVING AND NON-LIVING RESOURCES AND COASTAL STATE RIGHT TO CONTROL MARINE POLLUTION AND SCIENTIFIC RESEARCH. BARBADOS WANTS SPECIAL RIGHTS FOR DEVELOPING DISADVANTAGED STATES ON A REGIONAL BASIS TO PROTECT ITS FISHING INTERESTS.

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FROM US DEL LOS

10. DAHOMEY NOTED THAT 200-MILE EXCLUSIVE ECONOMIC ZONE APPROVED BY OAU BEING INCREASINGLY ACCEPTED. MAURITANIA ENDORSED THE DRAFT ARTICLES SUBMITTED BY NIGERIA. ISRAEL SUPPORTED RIGHT OF COASTAL STATE TO HARVEST FISH TO ITS CAPABILITY AND NON-CONSENT REGIME FOR SCIENTIFIC RESEARCH. TRINIDAD AND TOBAGO SUPPORTED REGIONAL ARRANGEMENTS GIVING PREFERENTIAL RIGHTS FOR ACCESS TO LIVING RESOURCES WITHIN ECONOMIC ZONE OF REGIONAL STATES. IRELAND SUPPORTED ALLOCATION OF FISHING RESOURCES WITHIN ZONE BY COASTAL STATE. REGULATIONS COULD BE REFERRED TO A SUITABLE ORGANIZATION WHICH WOULD ADVISE ON APPROPRIATE LEVELS AND CONSERVATION MEASURES. STATE OF ORIGIN OF SALMON SHOULD HAVE SOLE RESPONSIBILITY FOR MANAGEMENT AND CONTROL AND SOLE RIGHTS TO HARVEST.

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11. SWEDEN SUPPORTED REGIONAL ARRANGEMENTS AS SOLUTION TO FISHERY PROBLEMS. FINLAND POINTED OUT NECESSITY TO

DISTINGUISH BETWEEN TERRITORIAL SEA AND ECONOMIC ZONE.
IN ECONOMIC ZONE, TRADITIONAL HIGH SEAS FREEDOM SHOULD BE
RETAINED EXCEPT WHERE EXERCISE OF ECONOMIC RIGHTS ABSOLUTELY
PRECLUDES THIS.
STEVENSON

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